

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TOMMY OWEN HARTZ, ) CASE NO. C08-0362-TSZ-MAT  
Petitioner, ) (CR02-157-TSZ)  
v. )  
 ) ORDER GRANTING PETITIONER'S  
 ) MOTION FOR EXTENSION OF TIME  
UNITED STATES OF AMERICA, )  
 )  
Respondent. )  
 )

This is an action brought under 28 U.S.C. § 2255. On April 21, 2008, this Court issued an Order directing petitioner to clarify his § 2255 motion within thirty days. On May 30, 2008, petitioner filed a letter in response to this Court’s Order. He indicates therein that the facility at which he is incarcerated is in “lockdown” status, that he did not become aware of this Court’s Order until May 16, 2008, and that “equitable tolling” entitles him to more time to complete his § 2255 motion. The Court construes petitioner’s letter as a motion for extension of time and ORDERS as follows:

(1) Petitioner's motion for extension of time (Dkt. No. 9) is GRANTED. Petitioner is granted an additional *sixty (60) days* within which to file his clarified § 2255 motion and any

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01 memorandum in support thereof.

02 (2) Petitioner's failure to timely file his clarified § 2255 motion will result in a  
03 recommendation that this action be dismissed. Petitioner is advised that no further extensions of  
04 time will be granted.

05 (3) The Clerk shall send copies of this Order to petitioner and to the Honorable  
06 Thomas S. Zilly.

07 DATED this 18th day of June, 2008.

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10 Mary Alice Theiler  
11 United States Magistrate Judge  
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